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5 Attorneys for Plaintiffs,  
 EVELYN NAND  
 6 SUKHANDRA NAND

7  
 8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA

10 EVELYN NAND, an individual;  
 SUKHANDRA NAND, an individual

11 Plaintiffs,

12 v.

13 SPECIALIZED PORTFOLIO SERVICING,  
 14 INC., a business entity; NATIONAL  
 DEFAULT SERVICING CORPORATION, a  
 15 business entity; and DOES 1 through 50,  
 inclusive

16 Defendants.  
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Case No. 3:16-cv-04030-EMC

**STIPULATION TO CONTINUE  
 HEARING DATES ON DEFENDANTS'  
 MOTION TO DISMISS AND CASE  
 MANAGEMENT CONFERENCE;  
~~PROPOSED~~ ORDER**

Complaint Filed: July 18, 2016

1           **TO THE COURT, ALL PARTIES, AND TO THEIR ATTORNEYS OF RECORD:**

2           Plaintiffs Evelyn Nand and Sukhandra Nand (collectively "Plaintiffs") and Defendants  
3           Select Portfolio Servicing, Inc. (erroneously sued as Specialized Portfolio Servicing, Inc.)  
4           ("SPS") and National Default Servicing Corporation ("NDSC," collectively "Defendants"), by  
5           and through their counsel of record, hereby respectfully submit this stipulated request for a short  
6           continuance of the hearing on Defendants' Motion to Dismiss and Case Management Conference,  
7           both currently scheduled for February 3, 2017.

8           On July 18, 2016, Plaintiffs filed this action. ECF No. 1.

9           On August 9, 2016, Defendants filed a Motion to Dismiss the Complaint, with a hearing  
10          date of September 15, 2016. ECF No. 20.

11          On August 19, 2016 the parties submitted a Stipulation and Proposed Order continuing the  
12          hearing on Defendant's Motion to Dismiss and related filing deadlines. ECF No. 23. Pursuant to  
13          the Stipulation, as amended by the Court, the hearing on Plaintiffs' motion for preliminary  
14          injunction and Defendant's Motion to Dismiss was continued to November 3, 2016.

15          On October 5, 2016 the parties submitted a Stipulation and Proposed Order continuing the  
16          hearing on Defendant's Motion to Dismiss and related filing deadlines. ECF No. 29. Pursuant to  
17          the Stipulation, as amended by the Court, the hearing on Plaintiffs' motion for preliminary  
18          injunction and Defendant's Motion to Dismiss was continued to December 15, 2016. ECF No. 30

19          On November 29, 2016, the parties submitted a Stipulation and Proposed Order  
20          continuing the hearing on Defendant's Motion to Dismiss and related filing deadlines. ECF No. 34.  
21          Pursuant to the Stipulation, as amended by the Court, the hearing on Plaintiffs' motion for  
22          preliminary injunction and Defendant's Motion to Dismiss was continued to January 26, 2017.  
23          ECF No. 35.

24          On January 10, 2017, the Court continued the hearing on Defendant's Motion to Dismiss  
25          and the Case Management Conference until January 27, 2017. ECF. No. 40.

26          On January 17, 2017, the Court continued the hearing on Defendant's Motion to Dismiss  
27          and the Case Management Conference until February 3, 2017. ECF. No. 46.

1 On January 18, 2017, the Court issued an Order requiring personal appearance by the  
2 Parties at the hearings scheduled for February 3, 2017. ECF Nos. 48-49.

3 On January 19, 2017, the Parties stipulated and agreed to withdrawal of Plaintiffs' Motion  
4 for Preliminary Injunction, without prejudice. ECF. 50.

5 Based on the foregoing and the Court's requirement for personal appearance at the hearing  
6 on Defendant's Motion to Dismiss and the Case Management Conference, the Parties stipulate  
7 and agree, at Plaintiffs' request, to continue the hearing on Defendants' Motion to Dismiss and  
8 the Case Management Conference until February 16, 2017 in order to allow all counsel to  
9 personally appear at the hearings.

10 Plaintiffs and Defendants so stipulate.

11 DATED: January 19, 2017

STOEL RIVES LLP

12  
13 By: /s/ Bryan L. Hawkins  
14 THOMAS A. WOODS  
15 BRYAN L. HAWKINS  
16 Attorneys for Defendants  
17 Select Portfolio Servicing, Inc.  
18 (erroneously sued as Specialized Portfolio  
19 Servicing, Inc.) and National Default  
20 Servicing Corporation

17 DATED: January 19, 2017

MELLEN LAW FIRM

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19 By: /s/ Jessica Galletta  
20 JESSICA GALLETTA  
21 Attorneys for Plaintiffs  
22 EVELYN NAND and SUKHANDRA NAND

22 ATTESTATION OF SIGNATURE:

23 I attest under penalty of perjury under the laws of the United States of America that I have  
24 received the concurrence in the filing of this document from the listed signatories as  
25 required by Local Rule 5.1(i)(3).

26 Dated: August 19, 2016

27 /s/ Jessica Galletta  
28 JESSICA GALLETTA

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**ORDER**

This matter comes before the Court on Plaintiffs Evelyn Nand and Sukhandra Nand’s (collectively "Plaintiffs") and Defendants Select Portfolio Servicing, Inc. (erroneously sued as Specialized Portfolio Servicing, Inc.) (“SPS”) and National Default Servicing Corporation’s stipulated request for a continuance of the hearing on Defendants’ Motion to Dismiss and Case Management Conference. After considering the Parties’ stipulation and finding good cause, the Court GRANTS the Parties’ stipulated request.

The February 3, 2017 hearing on Defendants’ Motion to Dismiss and the Case Management Conference are continued to February 16, 2017.

IT IS SO ORDERED

DATED: 1/20/2017

  
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HONORABLE EDWARD M. CHEN  
UNITED STATES DISTRICT COURT JUDGE